

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

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AMERICAN PHYSICIANS  
ASSURANCE CORPORATION,

Plaintiff-Counter-Defendant,

v.

DONALD JAMES HAM, M.D.,  
ALAMOGORDO EYE CLINIC, INC.,

Defendants-Counter-Plaintiffs,

and THE ESTATE OF MARTHA  
VALENCIA CARDON, DECEASED, by  
and through Personal Representative  
ELIZABETH ALVAREZ,

Defendant.

No. 1:08-cv-638 PK/ACT

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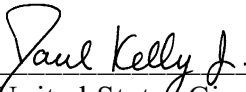
ORDER

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THIS MATTER comes on for consideration of Plaintiff APA's Motion to Quash the Subpoena of APA's Trial Counsel, Jennifer Anderson, filed December 23, 2009 (Doc. 241). Upon consideration thereof, the motion is granted in part and denied in part. Dr. Ham and AEC may call Ms. Anderson as a witness at trial; Ms. Anderson may continue as trial counsel but she will not be permitted to cross-examine witnesses where her conduct is directly at issue.

IT IS SO ORDERED.

DATED this 6th day of January 2010, at Santa Fe, New Mexico.

  
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United States Circuit Judge  
Sitting by Designation